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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/204,585	12/03/1998	MARC TREMBLAY	004-3288	5684

22120 7590 04/09/2003

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EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/09/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/204,585

**Applicant(s)**

TREMBLAY ET AL.

**Examiner**

DAVID Y. ENG

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 28 March 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

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✓ The amendment to the claims filed on 3/28/2003 does not comply with the requirements of 37 CFR 1.121(c) because it fails to include a markup copy of amendments to the specification and a clean copy of the amendments to the claims.

Amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121(c) which states:

(c) Claims.

(1) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(i) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

Since the reply filed on 3/28/003 appears to be *bona fide*, the instant application will be examined. Applicants are requested to file proper copies of the amendments in compliance with Rule 121 in their next response to avoid abandonment.

✓ The drawings are again objected to as failing to comply with 37 CFR 1.84(o) because they fail to label all rectangular boxes with meaningful legends. See Figures 8 and 9 for examples. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The active claims are 1-28.

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✓ Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in all independent claims is vague and indefinite.

Applicants said that support for the amendment may be found in Figures 7, 8A and 8B and in the corresponding descriptive text in the specification. The Examiner is unable to find the support for the register file described as substantially contiguous.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1,3-14 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung (5,592,679) in view of Laun (5,911,149).

Claims 2 and 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung (5,592,679) and Laun (5,911,149) further in view of Nashimoto (6,023,575).

Details of the rejections have already been set forth in the last Office action. The details are incorporated herein by reference thereto.

In the communication filed on March 28, 2003, Applicants contended that Yung and Luan do not disclose, alone or in combination, a processor including a substantially contiguous register file that is divided into a plurality of register file segments which are further partitioned into global registers and local registers. Figure 1 of Yung shows a conventional processor having a plurality of execution units and a centralized register file. Yung's invention is a distributed processor shown in Figure 2 having the centralized register file divided into a plurality of segments each of which is associated with an

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execution unit. Each of the segments is further partitioned into local and global registers. The respective execution unit is allowed to access only the local registers associated thereto. The local registers are therefore shown separately as rectangular boxes 241d, 242d etc. in Figure 2. The global register file is shared by all the execution units and therefore shown as a single rectangular box 290. Yung therefore meets all the structural limitations of all independent claims except for the feature of "programmably configurable". Laun teaches a memory system having a register file (Mem 1, 104) and a memory configuration controller 202 (corresponding to Applicants' decoder 602). Laun discloses at least in his abstract that the register file can be programmably configured into segments of local register files (dedicated to functional units) and global register files (shared by all functional units). Since both references are directed to partitioning memory into segments, it would have been obvious to a person of ordinary skill in the art to incorporate the memory system of Laun in Yaun such that the memory can be programmably configurable. Applicants merely argue on the Yaun reference.

Applicants fail to present any arguments as to why the invention as constructed by the Examiner based on both Yaun and Laun do not meet the limitations of independent claims 1, 15 and 23. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Further, Applicants fail to present arguments as to why the claims are patentable distinct. See citation of *In re Neilson* in the Office action mailed on May 1, 2002.

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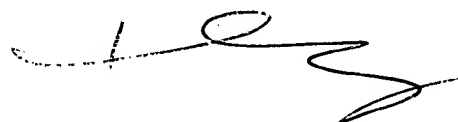
Claims 1,3-14 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laun (5,911,149).

Laun discloses claim combination set forth above. The only difference is that Laun does not use the terms local register and global register for dedicated and shared registers, respectively. It is the position of the Examiner that label of register file is not a patentable subject matter.

Claims 2 and 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laun (5,911,149) in view of Nashimoto (6,023,575).

Interpretation of the Laun and the Nashimoto references has already been set forth in the rejection above. The interpretation is incorporated herein by reference thereto.

The Vishkin reference is cited to show register file 30 in Figure 3. See also lines 43 et seq. of column 4 .



DAVID Y. ENG  
PRIMARY EXAMINER